



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,100	11/25/2003	Rainer Buchty	Buchty 1-7-1	9858
42292	7590	12/29/2006		
LAW OFFICE OF JEFFREY M. WEINICK, LLC 615 WEST MT. PLEASANT AVENUE LIVINGSTON, NJ 07039			EXAMINER TSAI, SHENG JEN	
			ART UNIT 2186	PAPER NUMBER
			MAIL DATE 12/29/2006	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/722,100

Applicant(s)

BUCHTY ET AL.

Examiner

Sheng-Jen Tsai

Art Unit

2186

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 December 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: see below. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-32.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see below.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

Applicants propose to amend Independent claims 1 and 10 with the new limitation of "a same base value ..."

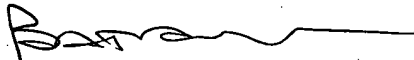
Since the prosecution of this Application is currently at post-final-action stage, the amendment will not be entered as it necessitates a new search and claim analysis to determine the patentability of the amended claims.

The options available to Applicants at post-final-action stage are: Abandon the Application, Appeal, or Request for Continued Examination (RCE). Among the three, only RCE would permit new, additional or different limitations to be entered, assuming that the new limitations are supported by the original disclosure.

As to claim 19, Applicants contend that VI1, VI2 and VI3 of Tanaka et al. are three registers instead of one register, thus Tanaka et al. fails to teach claim 19, which recites that "a first storage register for storing an index vector comprising a plurality of values." The Examiner interprets that VI1, VI2 and VI3 form a vector, as shown in figure 3, 109, 111 and 113 of Tanaka et al. Note that this interpretation is consistent with the well-known definition of a vector that it comprises a plurality of components.

As to claim 26, Applicants contend that the Examiner failed to respond to the remark that Shahidzadeh does not teach "an adder circuit having a first input coupled to said second storage register and a second input coupled to said first storage register for adding said base value to a value represented by the concatenation of said plurality of segments of said index vector to generate a single memory address."

It is noted that claim 26 is rejected under 35 USC 103(a) as being unpatentable over Tanaka et al. and in view of Shahidzadeh et al. As such, it is the combination of the invention of Tanaka et al. and Shahidzadeh et al. that teach the limitation. The limitation of "an adder circuit having ..." is taught by Tanaka et al. [The start address and the increment are keys to check whether the necessary vector data is stored in the vector buffer storage 21. In the present identification embodiment, the start address and the increment are used as the information to identify the vector data (column 4, lines 26-42). Note that "increment" means "addition"] while the limitation of "concatenation" is taught by Shahidzadeh et al. as explained in the claim analysis of claim 10.


PIERRE BATAILLE
PRIMARY EXAMINER
12/20/06